

VIA ECF

The Honorable Arun Subramanian
United States District Court, Southern District of New York
Daniel Patrick Moynihan United States Courthouse
500 Pearl Street, Courtroom 15A
New York, NY 10007-1312

Re: United States et al. v. Live Nation Entertainment, Inc. et al., No. 1:24-cv-03973-AS
Defendants' Letter re: Designated In-House Counsel

Dear Judge Subramanian:

Defendants Live Nation Entertainment, Inc. and Ticketmaster L.L.C. respectfully submit this letter in response to the Court's direction in paragraph 8.c. of its July 29, 2024 Protective Order (the "Protective Order") that Defendants publicly identify through ECF filing the names of the in-house counsel who will serve as their Designated In-House Counsel under the Protective Order. (Dkt. 213 ¶ 8.c.)

As stated in the parties' July 25 joint letter motion, "Defendants are unable to identify anyone working on the case who would be able to execute [Plaintiffs' proposed Highly Confidential] commitment in [then] paragraph 7(c) at this time". (Dkt. 198 at 1.) That paragraph is paragraph 8.c. of the Protective Order as entered yesterday. Thus, Defendants are unable to designate any in-house counsel working on this case who can meet the criteria now set forth in paragraph 8.c. of the Protective Order. (Dkt. 213.) As a result, in-house counsel at Defendants who are working on this case are likely to have access to no more than a very small part of the third-party discovery record, as we expect nearly of all of it will be marked Confidential or Highly Confidential.

Pursuant to the Court's directive at yesterday's conference (July 29, 2024 Hearing Tr. 9:21-10:3), Defendants will wait until such time as they have received third-party documents before applying to the Court for any modification of the Protective Order to permit Ms. Tobias and Mr. Wall access to Confidential (but not Highly Confidential) documents.

Dated: July 30, 2024

Respectfully submitted,

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cc: All Counsel of Record (via ECF)